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7 Attorney for Jimmy Carter Kim

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 JIMMY CARTER KIM,  
14 Defendant.  
15

Case No. 2:18-mj-00836-CWH

**STIPULATION TO CONTINUE  
PRELIMINARY HEARING**  
(Fifth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between  
17 Nicholas A. Trutanich, United States Attorney, and Christopher Burton, Assistant United  
18 States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal  
19 Public Defender, and Rebecca A. Levy, Assistant Federal Public Defender, counsel for  
20 Jimmy Carter Kim, that the Preliminary Hearing currently scheduled on Friday, July 19, 2019  
21 at 4:00 p.m., be vacated and continued to a date and time convenient to the Court, however no  
22 sooner than sixty (60) days.

23 This Stipulation is entered into for the following reasons:

24 1. The parties require additional time to discuss the potential for a Pre-Indictment  
25 negotiations.  
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2. Counsel for the defendant needs additional time to conduct investigation in this for case in order to determine whether there are any issues that must be litigated prior to a preliminary hearing and whether the case will ultimately go to preliminary hearing or will be resolved through negotiations. Specifically, Counsel for the defendant needs additional time for forensic investigation of discovery and to meet with the client to discuss the details prior to proceeding forensic investigation of discovery and meet with the client to discuss the details prior to proceeding.

3. The Defendant is in custody and does not object to the continuance.

3. Both parties agree to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested by this stipulation is excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(8)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

This is the fourth request for continuance filed herein.

DATED this 19th day of July, 2019.

RENE L. VALLADARES  
Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

*/s/ Rebecca A. Levy*  
By \_\_\_\_\_  
REBECCA A. LEVY  
Assistant Federal Public Defender

*/s/ Christopher Burton*  
By \_\_\_\_\_  
CHRISTOPHER BURTON  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 JIMMY CARTER KIM,

7 Defendant.  
8

Case No. 2:18-mj-00836-CWH

**ORDER**

9 Based on the Stipulation of counsel, good cause appearing therefore:

10 IT IS HEREBY ORDERED that the Preliminary Hearing currently scheduled on Friday, July  
11 19, 2019 at the hour of 4:00 p.m., be vacated and continued to September 20, 2019 at the hour  
12 of 4:00 p.m.  
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14 DATED this 19 day of July, 2019.

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17 UNITED STATES MAGISTRATE JUDGE  
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